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November 23, 2021

VIA ECF

Honorable Edward S. Kiel
United States Magistrate Judge for the District of New Jersey
Martin Luther King Building & U.S. Courthouse
50 Walnut Street
Newark, NJ 07101

Re: Ameritas Life Ins. Corp. v. Wilmington Trust, N.A., USDCNJ no. 2:19-cv-18713

Dear Judge Kiel:

Please accept this letter on behalf of Ameritas Life Insurance Corp in connection with Your Honor's November 7, 2021 Text Order (DE 85) requiring the parties to meet and confer regarding their pending disputes and advise of the status in advance of the hearing set for November 30, 2021. We have attempted to meet and confer with counsel for defendant regarding the parties' pending discovery dispute, but defense counsel declined to engage and also declined to participate in submitting a joint report regarding status.

On November 18, 2021, we invited counsel for Wilmington to provide available dates and times to meet and confer by telephone regarding the pending discovery dispute. At the same time, we also invited counsel for Wilmington to propose reasonable search parameters in an effort to resolve Wilmington's purported concerns regarding Ameritas' search of its systems and document production. As of this date, counsel for Wilmington has not responded to that invitation.

On Monday, November 23, 2021, counsel for Ameritas presented a draft of this letter to Wilmington's counsel and solicited Wilmington's response. Wilmington's counsel declined to participate in preparing a joint status report.

We are grateful for the Court's continuing time and assistance with the pending dispute.

Respectfully submitted,



Robert P. Lesko, Partner
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Cc: Katherine Skeele, Esq.